

# EXHIBIT E

DEPOSITION OF JILL HOOD  
REESER v HENRY FORD HOSPITAL

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NATALIE REESER,  
Plaintiff,

v

Case No. 2:14-cv-11916-GCS-MJH  
Hon. George Caram Steeh

HENRY FORD HOSPITAL,  
Defendant.

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DEPOSITION OF JILL HOOD

Taken by the Plaintiff on the 5th day of May, 2015,  
at the office of Keith D. Flynn, 600 W. Lafayette Blvd.,  
Detroit, Michigan at 10:00 a.m.

APPEARANCES:

For the Plaintiff: MR. KEITH D. FLYNN (P74192)  
Miller Cohen, P.L.C.  
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For the Defendant: MR. TERRANCE J. MIGLIO (P30541)  
MS. BARBARA E. BUCHANAN (P55084)  
Varnum LLP  
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Also Present: NATALIE REESER, via telephone

Reported by: TAMARA A. O'CONNOR  
CSMR 2656, CER 2656

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1 the phone with Ms. Bork. You just told her that.  
2 What did Fiona say?  
3 A That, like I said, was the conversation when she  
4 confirmed with me that she had not been paying the  
5 lunches, and I let her know that we were needing to  
6 do all of the research on it to get her paid.  
7 Q And what did she say?  
8 A "Okay."  
9 Q Anything else?  
10 A She didn't understand at first why, when she had so  
11 much time at that site of down time, why it could  
12 not be considered lunch time, until I explained to  
13 her that according to the Fair Labor Standards Act  
14 you need 30 minutes of uninterrupted time, where you  
15 can have that time to yourself.  
16 Q And what did she say at the end of that explanation?  
17 A That she had often more than a half an hour worth of  
18 time, and that is when I had asked her, "but what if  
19 the phone rings? What if somebody walks in? Is the  
20 expectation that Natalie or whoever is manning the  
21 site that day answer the call and attend to that  
22 patient, or could she say, 'No. I'm sorry. I'm on  
23 my break right now'?"  
24 When Fiona had confirmed with me that, no,  
25 she needs to help the client, or she needs to answer

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1 the phone, that is when I let her know that it's  
2 compensable time.  
3 Q And what was Fiona's tone during this conversation,  
4 if you could recall?  
5 A She was fine with it. Fiona is very concerned about  
6 doing the right thing and doing it consistently.  
7 Q So if she was required to take a lunch, why was she  
8 not provided a lunch on the 25th of February?  
9 A If she was required to take--it's not about not  
10 taking a lunch. It's about leaving a site, locking  
11 the door and not having anybody there, about  
12 abandoning your job.  
13 Q But that's not my question. My question isn't what  
14 you think it's about. My question is, if she was  
15 required to take a lunch, why was she not provided a  
16 lunch on February 25th?  
17 A Because they were still doing the exact same  
18 schedule that they were doing before, like I said.  
19 Q But here she is saying--  
20 A May I--  
21 Q This is her saying that it is mandatory for her to  
22 take a lunch--  
23 MR. MIGLIO: Stop. Stop. Let her answer  
24 the--we're going to take a break. Okay? We're not  
25 coming back until--

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1 MR. FLYNN: No, no, no. You don't get to  
2 just unilaterally determine--  
3 MR. MIGLIO: You want to get the Judge on  
4 the phone? We can do that. We can do that, but she  
5 is entitled to answer a question, and you  
6 continuously have interrupted other witnesses--  
7 MR. FLYNN: You are interrupting a  
8 question. You are interrupting a question that is  
9 already on the record.  
10 MR. MIGLIO: You have interrupted a  
11 witness giving an answer.  
12 MR. FLYNN: You can't just interrupt a  
13 question, Counsel.  
14 MR. MIGLIO: You interrupted her answer.  
15 MR. FLYNN: No. She was answering a  
16 question that I didn't even ask.  
17 MR. MIGLIO: Well, we can terminate the  
18 deposition. We can get Judge Steeh on the phone  
19 again, and he can tell you how to ask questions and  
20 how to object.  
21 MR. FLYNN: Put it on the record how long  
22 this break takes. This is ridiculous.  
23 (At 1:27 p.m., recess taken)  
24 (At 1:33 p.m., back on the record)  
25 Q (By Mr. Flynn) I'm going to withdraw the last

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1 question, and I'm going to ask you a different  
2 question.  
3 MR. MIGLIO: I want to get the Judge on  
4 the phone unless you are going to assure me that you  
5 are going to let this witness answer questions and  
6 not interrupt her.  
7 MR. FLYNN: Well, the issue is--  
8 MR. MIGLIO: You can't do that.  
9 MR. FLYNN: The issue, Terry, is when you  
10 have someone who is not answering the question that  
11 I pose and keeps wanting to give her spiel to me,  
12 I'd like an answer to the specific question that I  
13 posed.  
14 MR. MIGLIO: She is entitled to give an  
15 answer, and you are entitled to not interrupt her  
16 and ask another question.  
17 MR. FLYNN: And, you know--  
18 MR. MIGLIO: Then you can move to whatever  
19 you want to do to compel an answer or--  
20 MR. FLYNN: In the spirit of--  
21 MR. MIGLIO: To compel her testimony in  
22 the appropriate manner, but she is entitled to give  
23 an answer to a question that you have posed without  
24 you interrupting her.  
25 MR. FLYNN: In the spirit--

42 (Pages 153 to 156)

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- 1 **Q And you are currently not aware of any conversations**  
2 **between Reeser and Martha, but you don't recall,**  
3 **earlier that day?**  
4 A No, no, exactly. Like you had asked before, no, I  
5 do not recall.  
6 **Q Now it says:**  
7 **"7. Yes, John is aware and we have**  
8 **his full support."**  
9 **Do you see that?**  
10 A I do.  
11 **Q Do you recall any conversations--okay, let me ask it**  
12 **to you this way. Were you privy to any of those**  
13 **conversations with John and Fiona?**  
14 A Not when--no, not when Fiona was on the line, no.  
15 Fiona has her own one-on-one follow-up with John  
16 through the regular course of business.  
17 **Q Why is that?**  
18 A It is the way it always has been. There is a lot  
19 from a business standpoint that transpires,  
20 regardless of--even if there were no employee  
21 concerns.  
22 John had touched base at least twice a  
23 week with all of his managers so that he knows what  
24 is happening in the business.  
25 **Q And did you individually follow up with John, or did**

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- 1 **you just rely on this statement from Reeser?**  
2 A No. I individually followed up with John.  
3 **Q Or, I'm sorry, from Bork?**  
4 A From Bork. No. I followed up with John as well.  
5 **Q And when did you follow up with him?**  
6 A I do not recall if it was--the exact date. It would  
7 have been obviously prior to the discussion with  
8 Natalie that we were ending her employment, but I  
9 don't have the exact date.  
10 **Q Do you recall what was said during that meeting?**  
11 A I do. I let him know that we had finalized the  
12 investigation, that there was nothing that I could  
13 find that could identify any type of--make any  
14 circumstances that would lend this to be anything  
15 other than job abandonment, and therefore my  
16 recommendation was to proceed with termination if he  
17 was in support.  
18 **Q And what did he say?**  
19 A He said he was in support.  
20 **Q Did he ask any questions?**  
21 A He had lots of questions, but I had also been  
22 updating--as we had talked, I had been updating him  
23 all along as well.  
24 **Q What questions did he raise?**  
25 A I don't remember his specific questions. He had

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- 1 questions about the investigation, if I was  
2 comfortable with things, did I get the statements  
3 back that I had already updated him on, so he had  
4 follow-up questions from our previous conversations.  
5 **Q Were any notes made by--during this meeting with**  
6 **John?**  
7 A No. It was just a phone call with him, a regular  
8 update meeting.  
9 **Q Now I'm looking on HFH 72, which is the second page**  
10 **of this exhibit. I'm looking at the second to last**  
11 **sentence in this document. It says:**  
12 **"I do believe that potential litigation**  
13 **may come from this. That is why I want to**  
14 **make sure I have all possible documentation**  
15 **prior to proceeding with termination."**  
16 A Yes.  
17 **Q Why did you believe that litigation could come from**  
18 **this?**  
19 A Because it was very unfortunate, the timing between  
20 when her actions of walking off the job so closely  
21 corresponded with when we were going to be issuing  
22 her back pay for the lunches, and it's very clear to  
23 me--  
24 Clearly I'm not an attorney, but even the  
25 prima facie of that is that it looks odd, so that's

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- 1 why I was concerned.  
2 I wanted to make sure that we had  
3 everything that we needed to be able to substantiate  
4 that these were clearly mutually exclusive.  
5 **Q Well, along that note--**  
6 **(At 3:42 p.m., Plaintiff's**  
7 **Deposition Exhibit 19 marked)**  
8 **Q (By Mr. Flynn) Feel free to read it, and let me**  
9 **know when you're done.**  
10 A (Witness complied).  
11 **Q So looking under "Paid Meal Break," which is a**  
12 **section here--**  
13 A Yes.  
14 **Q First off, what does this appear to be?**  
15 A This appears to be the summary that I had typed up  
16 and sent to Ms. Reeser in regards to the concerns  
17 that she had brought forward to me on January 20th.  
18 **Q So under "Paid Meal Break," it says:**  
19 **"You informed me that you have not**  
20 **been allowed to take this 30 minute break,**  
21 **but rather were 'engaged to wait' during**  
22 **this time without compensation. Per HFHS**  
23 **Policy #5.05, employees are entitled to a**  
24 **30-minute unpaid lunch break."**  
25 **Do you see that?**

66 (Pages 249 to 252)